

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Jaecolby Brown,)	
)	
Plaintiff,)	
)	
v.)	C/A No.: 2:13-cv-2838-RMG-BHH
)	
City of Walterboro, City of)	
Walterboro Police Department)	
and Michael Williams,)	
)	
Defendants.)	
_____)	

NOTICE OF REMOVAL

The Defendants City of Walterboro, City of Walterboro Police Department and Michael Williams furnish the following as their Notice of Removal to the United States District Court on the basis of federal question jurisdiction. The City of Walterboro, City of Walterboro Police Department and Michael Williams are the named Defendants in the above captioned civil action No. 2013-CP-15-934 brought by filing on September 19, 2013 in the Court of Common Pleas in the Fourteenth Judicial Circuit in and for Colleton County, South Carolina and subsequently served upon Defendants. The Complaint asserts in paragraph 8 as follows:

8. That the Defendants herein are liable to the Plaintiff for their tortious and unlawful conduct pursuant to the South Carolina Tort Claims Act found under S.C. Code Annotated Section 15-78-10 *et seq.*, as well as the Constitution and the law of the United States of

America, specifically the Fourth Amendment, the Fourteenth Amendment, and 42 U.S.C. Section 1983.

The Plaintiff's First through Third enumerated causes of action proceed under the South Carolina Tort Claims Act. The Plaintiff's Fourth cause of action is entitled (Violation of Plaintiff's Civil Rights 42 U.S.C. §1983 Against Defendant Williams) and enumerates in paragraphs 45-50 of the Complaint allegations of violation of federal constitutional provisions.

Based upon federal question jurisdiction, the above captioned action is one which may be removed to the United States District Court pursuant to 28 U.S.C. §1441, and §1443 in compliance with §1446 establishing the procedure for removal.

WHEREFORE, the Defendants City of Walterboro, City of Walterboro Police Department and Officer Michael Williams pray that the above captioned action now pending in the Court of Common Pleas in and for Colleton County, South Carolina, be removed to the United States District Court for the District of South Carolina, Charleston Division.

Respectfully Requested,

LAW OFFICES OF CHRISTY L. SCOTT, LLC.

17th October 2013

By: s/Christy L. Scott
Christy L. Scott, Fed. I.D. No. 6215
Attorneys for the Defendants
City of Walterboro, City of Walterboro Police
Department and Officer Michael Williams

108 Carn Street, Post Office Box 1515
Walterboro, South Carolina 29488
(843) 782-4359
Email: cscott@lawofficeofchristyscott.com